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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,232	09/18/2001	Todd Mark Kelsey	ROC920010197US1	8310
7590	07/29/2005		EXAMINER	
Gero G. McClellan Moser, Patterson & Sheridan, L.L.P. Suite 1500 3040 Post Oak Boulevard Houston, TX 77056-6582			AYELE, MARIO	
			ART UNIT	PAPER NUMBER
			2622	
DATE MAILED: 07/29/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/955,232	KELSEY, TODD MARK
	Examiner	Art Unit
	Mario Ayele	2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-32 is/are rejected.
- 7) Claim(s) 2 and 8 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 18 September 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### ***Claim Objections***

In claim 2, at line 1, recites the limitation "the print medium formatting program".

There is insufficient antecedent basis for this limitation in the claim.

In claim 8, at line 2, recites the limitation "the at least on print configuration data file". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claim 1-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Wakai et al.

In claim 1 Wakai et al. discloses “monitoring for a print request” in paragraph 0235, line 1 and “intercepting a print file generated from the print request” in paragraph 0239, lines 3-5. Wakai et al. also shows “matching the print file with stored data identification” in paragraph 0054, lines 1-5 and 0068 lines 1-6. The last part of claim 1 “transforming a print file in accordance to stored print options” is disclosed by Wakai et al. in paragraph 0275, lines 1-3, where they disclose the stored print options, i.e. ‘size’. The transforming of the print file can be referenced in the last sentence of Wakai et al., paragraph 0241.

In claim 2 Wakai et al. discloses, “at least on print configuration data file configured to store the data identification and prints options” in figure 135. Wakai et al. also shows “a printing module configured for monitoring a print request” in paragraph 0235, lines 1-2. The last part of claim 2 “a transformation program module configured for transforming the print file” can be referenced in Wakai et al. in paragraph 0275, lines 1-7.

Claim 3 goes further into detail about the matching step in claim 1, the first part states, “identifying data identification in the print request”, this step can be found in the Wakai et al. drawings, figure 22, step S2201. Later in the second part of the claim “comparing said data identification in the print request to the stored data identification in a currently selected print configured data file” is referenced in Wakai et al. in figure 39,

step S3901. The identifying occurs in S2201 and comparing with stored identification in S3901.

In claim 4 Wakai et al. discloses 'further comprising printing the transformed print file to an output device in paragraph 0246, lines 1-4.

In claim 5, Wakai et al. shows an "output device is selected from the group consisting of a printer, a copier, and a scanner" in figure 7, elements 702, 704.

In claim 6, Wakai et al discloses, "stored data identification and print options are user configured" in figure 117, shows location of printer for file to be printed (data identification) and figure 119 "print setup change menu"(window shows options for adjusting object).

In claim 7 Wakai et al displays "prior to the monitoring step, the method further comprises the step of receiving the data identification options" in figure 22, S2201 (job id) "and print options" in figure 22, S2201 (action id) "from a graphical user interface generated by a print option formatting module" in figure 117, shows location of printer for file to be printed (data identification) and figure 119 "print setup change menu"(window shows options the adjust object), the print options.

In claim 9, Wakai et al. teaches "the print file is a spooled print file in paragraph 0271, lines 1-5.

In claim 10, Wakai et al. teaches print file is configured by print drivers prior to the transforming step in paragraph 0256, lines 3-4, specifically " the request manger permits printer control unit to control printer" after "user manipulates the device A" (printer), in paragraph 0255, line 1.

In claim 11, the rational provided in the rejections of claim 1 is incorporated herein. In addition, Wakai et al. teaches “computer-readable medium comprising a print medium formatting program” executed by a processor in paragraph 0002, lines 1-5.

In claim 12, the rational provided in the rejections of claims 2 and 11, are incorporated herein.

In claim 13, the rational provided in the rejections of claims 3 and 11 are incorporated herein.

In claim 14, the rational provided in the rejections of claims 4 and 5 and 11 are incorporated herein.

In claim 15, the rational provided in the rejections of claims 6 and 11 are incorporated herein.

In claim 16, the rational provided in the rejections of claims 7 and 11 are incorporated herein.

In claim 17, the rational provided in the rejections of claims 7 and 11 are incorporated herein

In claim 18, the rational provided in the rejections of claims 10 and 11 are incorporated herein.

The rational provided in the rejections of claim 18 is incorporated herein claim 10. In addition, Wakai et al. teaches “computer-readable medium comprising a print medium formatting program” executed by a processor in paragraph 0002, lines 1-5.

In claim 19, the rational provided in the rejections of claims 1 and 11 are incorporated herein.

In claim 20 Wakai et al. teaches “computer system” and “processor is configured to execute a print command to print the transformed print file to at least one output device coupled to the computer system”, in paragraph 0006, lines 1-3.

In claim 21, Wakai et al. discloses “at least one output device” as a printer in paragraph 0262 lines 1-4.

In claim 22, the rational provided in the rejections of claim 20 is incorporated herein. In addition Wakai et al. teaches “the print medium formatting program is loaded and accessible from a program selected from the group consisting of an operating system, a device driver, and an applications program” in figure 6 element 201, the operating unit, which shows the relationship with the request manager interacting with the print medium formatting program. Thus proving it inherently known that the operating unit is accessible to the print medium formatting program.

In claim 23, the rational provided in the rejections of 12 and 20 are incorporated herein.

In claim 24 Wakai et al. teaches “the data identification comprises” in paragraph 0262(description of figure 7), data devices which are identified. Then later in the claim “the at least one output device”, Wakai et al. discusses the printer as one output device, in lines 1-4 of the same paragraph.

In claim 25 Wakai et al discloses, “the print options include selectable print color, resolution, size, pages per page, and the printable content”, in figure 135 (Size, Object Count, Content) and figure 119 (Color).

In claim 26 Wakai et al teaches “the printable content” can be text only disclosed in paragraph 0276, lines 1-3.

In claim 27, the rational provided in the rejections of 1, 3, and 7 are herein.

In claim 28 Wakai et al teaches, “Received data identification and print options are user configured by a user via at least one GUI” in figure 117(location of printer for file to be printed) and figure 119 “print setup change menu”(window shows options for adjusting object).

In claim 29 Wakai et al. shows “the displaying step further comprises at one of the steps selected in the group consisting of: creating a new print configuration data file, editing an existing print configuration data file, deleting an existing print configuration data file, and accepting a current print configuration data file” in figure 113, the option to delete a job is shown.

In claim 30, the rational provided in the rejection of claim 4 is herein.

In claim 31, the rational provided in the rejection of claim 5 is herein.

In claim 32, the rational provided in the rejection of claim 5 is herein.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mario Ayele whose telephone number is 571-272-0624. The examiner can normally be reached on Monday through Friday 8:30 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mario Ayele  
Examiner  
Art Unit 2622

  
EDWARD COLES  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600